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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,241	06/13/2000	Jeff C. Kunins	TM00-004.US	5696

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EXAMINER
GUBIOTTI, MATTHEW P

ART UNIT	PAPER NUMBER
2124	

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/592,241	KUNINS ET AL.
	Examiner	Art Unit
	Matthew Gubiotti	2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2000* .

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .		6) ☐ Other: .

DETAILED ACTION

Specification

1.   The abstract of the disclosure is objected to because is of
its length.   The abstract is limited to 150 words.   Correction
is required.   See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35
U.S.C. 112:

> The specification shall conclude with one or more claims particularly
> pointing out and distinctly claiming the subject matter which the
> applicant regards as his invention.

3.   Claims 1-29 are rejected under 35 U.S.C. 112, second
paragraph, as being indefinite for failing to particularly point
out and distinctly claim the subject matter which applicant
regards as the invention.   The preamble claims a method of
supporting code development; however, the body of the claims do
not distinctly claim elements related to the art of code
development support.   Rather, the bulk of the claim language
relates to either 1) an operating environment or 2) a method
directed towards correcting existing problems than developing a
new application.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs
of 35 U.S.C. 102 that form the basis for the rejections under
this section made in this Office action:

> A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication
in this or a foreign country or in public use or on sale in this
country, more than one year prior to the date of application for
patent in the United States.

5.   Claims 1, 2, 4-9 are rejected under 35 U.S.C. 102(b) as

being unpatentable over Belanger et al. (US Pat. App. Pub. No.

2001/0014839).

Claims 1, 2, 4-8

Belanger teaches a method of supporting development of

application code comprising:

Receiving over a network an application from a remote

computer (``receiving signals representing information''; col. 3,

li.4-26 at 6-9). Belanger teaches an application platform

(``server'') communicating with a client device over a

communication network identified as the Internet (col.3, li.40-

46). It is inherent that a server connected to the Internet as

taught in Belanger is capable of retrieving application code from

a remote computer (or ``second computer system''), whether the

remote system is commonly operated, or operated by a different

legal entity. Additionally, the use of the Internet as a

communications network inherently encompasses the use of HTTP and

the output/receipt of code as form data;

Associating said application with a telephone number for

communicating with a telephone interface (``access control

mechanism''; col.4, li.5-26 at 14-17)

Responsive to receiving a telephone call via said telephone
number, executing the application and presenting audio output
(``receiving signals''; col.4, li.5-26 at 11-13) over the
telephone interface (``mobile phone''; col.4, li.27-33) and
presenting a concurrent call flow describing program control to
said remote computer (col.4, li.5-26 at 8-11).

Belanger teaches an application platform (``server'') with a
processing mechanism attached to a communication network
identified as the Internet (col.3, li.40-46) for receiving
information from a client device (col.4, li.5-26 at 19). It is
inherent that the server in the information management system of
Belanger presents call flow information, including program flow
information, to a remote computer concurrently over the
communications network. The remote computer is described as
either the client device (``receiving signals''; col.4, li.59-60)
or any other remote device available over the Internet..

Claim 9

Belanger further teaches a method wherein the remote
computer does not include specialized application development
software (col.6, li.46-55).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms
the basis for all obviousness rejections set forth in this Office
action:

(a) A patent may not be obtained though the invention is not identically
disclosed or described as set forth in section 102 of this title, if the
differences between the subject matter sought to be patented and the
prior art are such that the subject matter as a whole would have been
obvious at the time the invention was made to a person having ordinary
skill in the art to which said subject matter pertains. Patentability
shall not be negatived by the manner in which the invention was made.

7.   Claim 3 is rejected under 35 U.S.C. 103(a) as being

unpatentable over Belanger as applied to claim 1 above, and

further in view of House (US Pat. No. 6,119,247).

Claim 3

Belanger teaches a communication connection between a server

computer and a client device wherein the server receives signals

from the client device. Belanger does not expressly disclose

that the signals constitute debugging information. House teaches

a method for debugging application code in a distributed

computing environment (col.2, li.63 to col.3, li.2). House

teaches this as a means of improving application performance by

identifying coding errors (col.2 li.52-56). It would have been

obvious at the time of the invention to combine the debugging

technique of House with the method of supporting development

taught by Belanger. The modification would have been obvious

because one of ordinary skill in the art would have been familiar

with the use of debugging tools to improve quality when

developing and maintaining software, as taught in Belanger

(col.2, li.4-6).

8.   Claims 10-14 and 28 are rejected under 35 U.S.C. 103(a) as
being unpatentable over Belanger as applied to claim 1 above, and
further in view of Kredo (US Pat. No. 6,259,771).

Claims 10-14

Belanger does not expressly teach receiving a reference to
an application from a remote computer comprising a uniform
resource identifier (URI). Kredo teaches a method for accessing
web applications over the phone that utilizes a URI computer to
identify an application associated with a specified phone number
(col.2, li.9-20). It would have been obvious to a person of
ordinary skill in the art at the time of the invention to combine
the teachings of Kredo with the application support method of
Belanger. The modification would have been obvious because one
of ordinary skill in the art would have been motivated to allow
for communication between client devices and web-based
applications on the Internet identified by uniform resource
identifiers as taught by Kredo and suggested in Belanger (col.2,
li.43-51).

Claim 28

This claim represents the apparatus claim corresponding to
the method of claim 10. It is rejected for the same reason
stated above, with Column 3, Lines 27-35 referencing the
apparatus.

9.   Claims 15-22, 24-27 and 29 are rejected under 35
U.S.C. 103(a) as being unpatentable over Belanger and Kredo as
applied to claims 10-14 above, and further in view of House (US
Pat. No. 6,119,247).

Claims 15-17, 19-22, 24-26

Belanger and Kredo do not expressly disclose that the
signals presented to a second computer system constitute
debugging information involving execution of an ongoing
application. House teaches a method for debugging application
code in a distributed computing environment simultaneously while
the application is being executed (col.2, li.63 to col.3, li.2;
col.6, li.61 to col.7, li.1). House further teaches a web
interface for controlling debugging output (col.5, li.51-55).
House further teaches where the debugging output comprises
selecting one or more debugging output from application states,
events, fill fields, variables, and custom messages (col.7, li.8-
17). House teaches this method as a means of improving
application performance by identifying coding errors at run-time
(col.2 li.52-56). It would have been obvious at the time of the
invention to combine the debugging technique of House with the
method of supporting development taught by Belanger. The
modification would have been obvious because one of ordinary
skill in the art would have been familiar with the use of
debugging tools to improve quality when developing and
maintaining software, as taught in House and suggested in

Belanger (``create and manage [web applications]'' col.2, li.4-6).

Claim 18

None of the references expressly discloses that the
debugging signals are presented in extensible markup language
(XML). Official notice is taken that XML was a well-known markup
language at the time applicant's invention was made. House does
disclose a method for debugging application code in hypertext
markup language (HTML) (col.6, li.1-6). It would have been
obvious to a person of ordinary skill at the time of the
invention to substitute hypertext markup language into XML for
use in debugging. The modification would have been obvious
because one of ordinary skill in the art would have been familiar
with the benefits of utilizing XML over HTML, e.g. the increased
portability of XML when compared to HTML that allows code to be
used in many different types of applications.

Claim 27

None of the references expressly discloses that the
application is written in a XML-based voice application language.
Belanger does disclose a method for supporting application
development wherein the application is written in hypertext
markup language (HTML) (col.6, li.8-14). It would have been
obvious to a person of ordinary skill at the time of the
invention to substitute one markup language for another in
application development. The modification would have been
obvious because one of ordinary skill in the art would have been

familiar with the benefits of utilizing one particular markup
language over another as taught expressly in Belanger (col.6,
li.14-15).

Claim 29

This claim represents the apparatus claim corresponding to
the method of claim 15. It is rejected for the same reason
stated above, with Column 3, Lines 27-35 referencing the
apparatus.

10. Claim 23 is rejected under 35 U.S.C. 103(a) as being
unpatentable over Belanger in view of Kredo and House as applied
to claim 22 above, and further in view of Curreri (US Pat. No.
6,091,896).

Claim 23

Neither Belanger, Kredo, or House expressly discloses that
the debugging signals may be color coded. Curreri teaches a
method of debugging an application wherein different debugging
messages are color-coded (col.11, li.58-65). It would have been
obvious to a person of ordinary skill at the time of the
invention to apply the color-coding technique of Curreri with the
debugging method of Belanger modified by the teachings of Kredo
and House. The modification would have been obvious because one
of ordinary skill in the art would have sought to minimize
confusion in understanding debugging information related to
different areas of application support in order to improve

overall system performance as taught by Carreri and suggested by House (col.2, li.52-56).

Conclusion

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Gubiotti whose telephone number is (703) 305-8285.   The examiner can normally be reached on M-F, 8-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 305-9662.   The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MPG
February 10, 2003

KAKALI CHAKI
SUPERVISORY PATENT EXAMINER
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